

ELECTRICAL ADVISORY COMMITTEE MEETING FEBRUARY 17, 2004 MINUTES

**Office of Housing, Buildings & Construction
Electrical Section
101 Sea Hero Road, Suite 100
Frankfort KY 40601-5405**

MEMBERS IN ATTENDANCE

| | | | |
|---------------|-----------------------|--------------|---------------|
| Archer, James | Holthouser, Norman G. | Howard, Jan | Malone, Mary |
| Osborne, Gary | Pace, Chris | Shelton, Don | Shouse, Jerry |
| Strange, Jim | | | |

MEMBERS IN ABSENT

| | | |
|----------------|-----------------|--------------|
| Leake, Michael | Moore, Jonathan | Strange, Jim |
|----------------|-----------------|--------------|

DEPARTMENT OF HOUSING STAFF IN ATTENDANCE

Bennett, Mike; Office of Housing Legal Counsel
Dempsey, Frank; Office of Housing Legal Counsel
Henderson, Nelson; Division of HVAC Director
Langford, Dennis; Office of Housing, Executive Director
McMichael, Shawwna; Administrative Secretary, Hazardous Materials Section
Perkins, Billy; Chief Electrical Inspector

VISITORS IN ATTENDANCE

Enzweiler, Mike; Home Builders Association (*HBA*) of Northern Kentucky
Kramer, Mark; Northern Kentucky Electrical Association (*NKEA*)
Studer, Tom; Electrical Inspector (*2306-C*)
Sweigart, Jim; Northern Kentucky Electrical Association (*NKEA*)
Trivette, Mel; Franklin County Inspector (*2374-C*)
Vernon, Doug; Kentucky Burglar & Fire Alarm Association Inc (*KBFA*)
Wiley, Jeff; Kentucky Labor Cabinet, Division of Employment Standards Apprenticeship & Training

Meeting Called to Order

Don Shelton made a motion to call the meeting to order at 9:04 a.m. Gary Osborne seconded the motion. All in favor. Motion carried.

Approval of the Committee Minutes

Chairman Archer inquired if there was a motion to approve the last Committee meeting minutes, February 3, 2004. Mr. Osborne made a motion to change all references to "JR Gray" on page 6 to "Gary Seay". Chris Pace seconded the motion.

Mr. Shelton made a motion to approve the minutes with the amendment. Mr. Pace seconded the motion. All in favor. Motion carried.

New Business – Mr. Langford

Dennis Langford stated that he has an addition to the Committee's agenda. Mr. Langford stated that he thought Billy Perkins had been notified to add the request from Becky Patterson of *IEC* to be added to the

agenda. Mr. Perkins and Shawwna McMichael stated that they were never notified of Ms. Patterson's request. Mr. Langford informed Mr. Perkins to obtain copies of Ms. Patterson's request from Libby Simpson.

The Environmental and Public Protection Cabinet has announced there is a new Commissioner – Joe Adams, who is from CSX Railroad. Mr. Langford stated that he looks forward to meeting with Mr. Adams. Mr. Langford stated that he hopes to get Mr. Adams to attend a Committee meeting. Chairman Archer inquired Mr. Adams title. Mr. Langford stated that Mr. Adams was the Commissioner of the Public Protection Department. Mr. Langford stated that there are 12 agencies under the Public Protection Cabinet.

Mr. Langford stated that the clerical staff in the electrical licensing section has taken the time to re-review all applications. Mr. Langford stated that there was applicants sending documentation with their legal name and other documentation with a different name. Mr. Langford stated that the clerical staff was on the last drawer of applications for re-review. Mr. Langford stated that the electrical licensing ID cards have not arrived yet. However, the ID cards are expected to arrive next week. Some of the phone calls should be eliminated once the ID cards have arrived and are printed and mailed.

Mr. Langford stated that there has been an issue arisen on the age of applicants. Mr. Langford stated there are applicants that are 18 years old and are stated they have 6 years of electrical experience. Mr. Langford stated that Legal Counsel Dempsey would further discuss this issue later in the meeting.

New Business – Legal Counsel Dempsey

Legal Counsel Dempsey stated that he had received a telephone call from Cincinnati *IBEW* and wanted to see if their programs that were held out of state was authorized for Kentucky continuing education. Legal Counsel Dempsey stated that the Cincinnati *IBEW* representative stated that their area includes 4 or 5 counties in Kentucky. Legal Counsel Dempsey stated that he believes that if they have an area in Kentucky their continuing education is valid. Legal Counsel Dempsey stated that he is aware that the Committee did not approve Indiana programs because the courses were not in Kentucky.

Mr. Pace stated that Cincinnati *IBEW* is listed as a continuing education provider. Legal Counsel Dempsey stated that he was aware of that. Legal Counsel Dempsey inquired if the continuing education has to be held in state and if Cincinnati *IBEW* covered Kentucky. Mr. Osborne answered yes; there are several out-of-state *IBEW* local unions – Cincinnati, Ohio; Huntington, West Virginia and Nashville, Tennessee. Mr. Osborne stated that experience is experience. Mr. Osborne explained that the Committee approved out-of-state experience and inquired why education would be different. Legal Counsel Dempsey stated that is why the Committee is reviewing continuing education. Mr. Osborne stated that the electrical bill did not state that the education had to be in Kentucky or out-of-state. Mr. Perkins stated all areas in Kentucky have to comply with the current National Electrical Code (*NEC*), 2002 edition. However, not all states have adopted the current *NEC* code. Mr. Perkins encouraged the Committee to keep that in mind when considering accepting out-of-state continuing education. Legal Counsel Dempsey stated that he would contact the Cincinnati *IBEW* and inform them that they would have to comply with the adopted continuing education procedures since *IBEW* was included in the House Bill.

IEC Continuing Education Request

Legal Counsel Dempsey stated that Mr. Langford gave a speech on the electrical licensing program to members of the Independent Electrical Contractors (*IEC*). Becky Patterson of *IEC* has requested that individuals in attendance of the meeting receive continuing education credit for listening to the speech. Mr. Pace inquired how long Mr. Langford's speech was. Mr. Langford answered approximately 30 minutes. Ms. Malone inquired what type of continuing education credit they are requesting for – Master Electrician/Electrician or Contractor. Mr. Pace stated that it did not matter what type of continuing education they was requesting because the speech was not lengthy.

Ms. Malone inquired if Mr. Langford was an approved provider. Legal Counsel Dempsey stated that the Department is an approved continuing education provider. Mr. Pace inquired if the Committee needs to make a ruling on *IEC*'s request. Mr. Langford answered yes. Ms. Malone inquired if there was a sign in and out sheet at the meeting. Mr. Langford stated that he was unsure if there was a sign in and out sheet at the meeting. Mr. Strange made a motion to deny *IEC*'s request to receive continuing education credits for the individuals in attendance of the referenced meeting. Mr. Pace seconded the motion. All in favor. Motion carried.

Applicant Age Requirement

Legal Counsel Dempsey stated the Department has several electrical applicants that are 18, 16 and 15 that state they have 4 or 6 years of electrical experience. Mr. Pace inquired if the documentation is considered falsifying records. Legal Counsel Dempsey stated that he was unsure. Mr. Langford stated that the Department has letters from Electrical Inspectors proving their experience. Legal Counsel Dempsey inquired if an applicant at that age is mature enough to do electrical work if the applicant actually has the experience as documented. Legal Counsel Dempsey stated that electrical work is dangerous and hazardous work. Legal Counsel Dempsey stated that there is no age limit included in the original House Bill. However, there are child labor laws that regulate the age of an individual doing work.

Mr. Pace stated that the Department could ask the applicant to send copies of W2's or require additional documentation. Legal Counsel Dempsey agreed with Mr. Pace. However, an applicant could have volunteered to do electrical work, which can be used or documented as work experience. Mr. Osborne inquired what years of experience would be accepted. Legal Counsel Dempsey stated the Committee did not make a final determination on the years of experience accepted. Mr. Pace stated that the Committee did make a determination of what documentation would be acceptable/accepted.

Mr. Langford stated that in some of the cases that in question, the Contractor is the applicants' parent(s). However, in other cases there are letters from State Senators who stated that they know the applicant is in the electrical trade. Mr. Langford stated that the Department needs the direction of the Committee. Mr. Perkins stated that he is aware of a minnionite who claims he has 4 sons that have been in the electrical trade their entire life. Mr. Strange inquired if there was a way to set an age limit. Legal Counsel Dempsey stated that the age limit would have to be included in the statue. Mr. Strange inquired if there was a law that sets what age an individual could work full-time.

Jeff Wiley of the Labor Cabinet stated that an individual under 18 years of age could not work full-time jobs. Legal Counsel Dempsey stated that the Department would work with the Labor

Cabinet to get a determination and report back to the Committee on the findings. Mr. Perkins inquired if there was an age limit in the union. Ms. Malone stated that age requirement in unions is 18. Mr. Osborne stated that anyone 18 years old must have 8 years of experience because individuals have limitations on work experience – full-time or part-time. Mr. Wiley agreed with Mr. Osborne because individuals must be 14 years of age to work. Ms. Malone inquired if there was a difference if an individual worked with their parents in the electrical trade. Mr. Wiley stated that working with their parents is still hazardous/dangerous work. Ms. Malone inquired if there is any paperwork that has to be completed for individuals working with their parents. Mr. Wiley answered no. Legal Counsel Dempsey stated that an individual must be 18 years of age to legally apply for license. Legal Counsel Dempsey stated that he would have a statement regarding the age limitation ready for the Committee's review at the next scheduled meeting.

Pre-Licensing Programs (Apprenticeship Programs)

Jeff Wiley, the Supervisor of Apprentice Standards with the Labor Cabinet reviewed the Labor Cabinets' apprenticeship standards for trade for company. The "Council" is comprised of 3 members for the Labor Cabinet and 3 members from the Business industry. Council Members is currently in limbo and must be appointed by the Governor. There are 144 training hours required each year for the trade an Apprentice is in. The Apprenticeship regulation allows individuals 16 years of age to register in the Apprenticeship program. However, the Apprentice is not exempt from the child labor laws. Most of the Apprenticeship programs have fewer than 5 Apprentices because most of the programs are small companies. There are approximately 280 Apprenticeship programs in the industries of electrical, tool and die, machinist, maintenance, etc.

Every Apprentice must have 3 Journeyman on a jobsite. Mr. Perkins inquired if a Journeyman was the same as having 4 years of electrical experience. Mr. Wiley answered no; the regulation does not have a limit on the required number of years to be considered a Journeyman. Most Apprenticeship training is held in the evenings so that individuals can continue to work. Most of the Apprentices get a raise after 6 months. Apprentice must be paid at a minimum of 40% of a Journeyman's rate pay. However, most of the Apprentices start at 50% of the Journeyman's pay and receives a 5% after 6 months. The sponsor sets the Apprentices schedule and the program can be modified due to technology advances as long as the Labor Cabinet is notified of the changes.

The standard term of apprenticeship is at least 8,000 hours. Mr. Wiley did not bring a copy of the Apprenticeship Agreement with him to the meeting for the Committee to review. However, the Apprenticeship Agreement is completed and mailed to the Labor Cabinet and reviewed and signed by the Labor Cabinet and then returned to the Sponsor. There is a probationary period of 4 months or 667 hours. The Sponsor is responsible for keeping track of the Apprentices experience. Most of the Sponsors give the form(s) to the Apprentice to allow them to keep track of their experience. The Sponsor will let the Apprentice know what tools they need at all times. Mr. Wiley or someone in his office is the consultant. Mr. Howard stated that the ratio states that there are 3 Journeyman for each Apprentice. Mr. Wiley agreed with Mr. Howard. Mr. Wiley stated that the course outline included in the standards is for an Apprentice maintenance program.

Legal Counsel Dempsey stated that there are standards to register Apprentice programs with the Labor Cabinet. However, people could have Apprentice programs that are not registered with

the labor Cabinet. Mr. Wiley agreed with Legal Counsel Dempsey. Mr. Wiley further explained that Apprentices in registered programs receive a certificate of completion and is generally nationally recognized like a degree. Mr. Wiley stated that classroom instruction is supplementary to hands-on training.

Mr. Perkins inquired if each course on the submitted maintenance program course outline is 144 hours. Mr. Wiley answered no; that is a total of 144 hours per year. Mr. Perkins inquired if the first column is 144 hours that is covered in the first year. Mr. Wiley answered yes; a lot of sponsors have more than 144 hours each year. Mr. Osborne stated that *IBEW's* Apprenticeship program is 5 years. If an individual is in the *ABC* Apprenticeship program the individual is given 100% credit for the courses they have completed.

Mr. Perkins stated that people are upset because their schooling is not being acceptable as training. Mr. Osborne stated that the biggest part of the electrical trade is hands on training/experience not schooling. Mr. Perkins stated that individuals after July 15, 2004 need to see what the Committee is going to approve/accept. Legal Counsel Dempsey stated that's why the Committee is meeting. Legal Counsel Dempsey inquired if an individual gets classroom hours at *KCTCS* and considers that as their experience. Legal Counsel Dempsey stated that the Committee needs to set the standard to accept training. Mr. Pace reviewed "training" on page 7 of the regulation with the Committee. Legal Counsel Dempsey stated that the "training" definition would have to be included in the regulation. However, the standards would need to be set the Committee first. The following information will have to be approved as the Committee's standards: number of hours required per year, who will be acceptable teachers.

Mr. Perkins stated that Art's Electric in Frankfort does training with instructor that is hired to come into their facility to do training for their employees. Mr. Pace stated that he was unsure how detailed the Committee can get. However, the Department would enforce the guidelines. Mr. Pace stated that he would like to hear from people on this issue.

Mark Cramer of Townsend Electric and representative of *IEC* stated with the ratio of 3 to 1 cuts out small businesses whether it was intended or not. Mr. Cramer stated that a couple of years ago the Labor Cabinet came to their office and Townsend Electric was not approved as an Apprenticeship Program due to the ratio. Mr. Pace stated that the Committee has not approved that ratio requirement. However, the Committee is saying the registered Apprentice programs are acceptable/approved. Legal Counsel Dempsey stated that training courses would substitute for 2 years of experience. Mr. Cramer stated that without a doubt classroom experience and working in the field at the same time is much better. Mr. Osborne inquired if Mr. Cramer was suggesting that the Committee should not accept these classes. Mr. Cramer answered no. Mr. Osborne inquired if Mr. Cramer was suggesting that individuals who have taken technical school courses and/or courses taken through High School are not acceptable training towards an electrical license. Mr. Cramer answered yes. Mr. Osborne inquired if Mr. Cramer's Apprentices work with a Journeyman on the jobsite at all times. Mr. Cramer answered yes. Legal Counsel Dempsey stated that the Committee did not have the authority to say technical school courses and/or courses taken through High School are not acceptable training towards an electrical license.

HBA Apprenticeship Training Program

Mike Enzweiler of Home Builders Association (*HBA*) Mr. Enzweiler stated that the *HBA* Apprenticeship program has been registered with the Labor Cabinet but no longer registered due to the ratio. In the electrical Apprenticeship program there are currently 178 individuals in the program. The *HBA* instructors are fulltime tradesman who is sent to *MOI*. All classes are held at 3 different locations in Northern Kentucky. *HBA* registers all Apprentices with the Gateway Technical College. *HBA* is nearing to getting college credit for completing the Apprenticeship program with the Gateway Technical College. Mr. Perkins inquired if you are in the electrical Apprenticeship program for 4 years. Mr. Enzweiler answered yes; we have separate programs for HVAC. *HBA* uses 2 technical centers in Northern Kentucky are looking to expand to Boone County Technical Center.

The evaluations are completed by students yearly and the evaluations are tallied and given to the instructors. Mr. Enzweiler stated that he attends every class to assist Instructors and have attended every class for the last 22 years. *HBA* in Northern Kentucky was founded in 1955 with the electrical program being in its 26th year. There are currently 30 local *HBA* associations and 800 national *HBA* associations. *HBA* has 2- Electrical I programs, 1- Electrical II program, 1- Electrical III program, and 1- Electrical IV program.

The *HBA* is seeking approval from the Committee for their Apprenticeship programs. Mr. Perkins inquired if *HBA* was also seeking approval of their instructors. Mr. Enzweiler answered yes. Mr. Perkins inquired if they were also seeking continuing education approval. Legal Counsel Dempsey answered no. Mr. Enzweiler stated that they were not seeking continuing education approval at this time. Legal Counsel Dempsey stated that the Committee could not approve *HBA*'s Apprenticeship programs until standards have been set.

Legal Counsel Dempsey inquired how many classroom hours *HBA* requires each year. Mr. Enzweiler stated that same hours as the Labor Cabinet but *HBA* requires 156 hours each year. Legal Counsel Dempsey inquired how *HBA* selects Instructors. Mr. Enzweiler stated that the Instructors are approved by the Council. Legal Counsel Dempsey inquired how long their Instructors had been with the association. Mr. Enzweiler stated that there are 40 to 50 Contractors, and 1,250 companies in the association and Louisville having the largest association.

Mr. Osborne inquired what *HBA*'s completion rate is. Mr. Enzweiler stated they have 65 starting and 45 completing the program after 4 years. Mr. Strange stated that he has reviewed their statistics, which are 220 completed in 10 years. Instructor, Frank Herschede started with the organization in 1986. *HBA* does not limit their members by number of employees. Tom Studer stated that the reason for the passing rate was low was because there was not initiative for taking/participating in the Apprenticeship program. The number of graduates is not due to lack of program content. Mr. Strange agreed with Mr. Studer. Mr. Perkins inquired if there was no time limitation on when an individual takes the tests. Mr. Strange answered no, as long as long as an individual took the Exporior exam. Mr. Pace stated that the Committee has the ability to place a time limitation on how long the exams are acceptable.

Mr. Osborne inquired if Mr. Enzweiler could get a copy of the completion rate of their electrical Apprenticeship program. Mr. Perkins stated that it may be low today but in 10 years from today the completion rate will increase. Mr. Perkins stated that how the Committee sets the standards for Apprenticeship programs will affect years coming, which will also increase safety on jobs. *Unidentified Visitor* stated that a majority who send Apprentices to this program are residential electricians. There are about 50% of the Apprentices that do residential and commercial wiring. Mr. Perkins inquired if the *Unidentified Visitor* sends his Apprentices to the *HBA* program. *Unidentified Visitor* answered yes. *Unidentified Visitor* stated that the Apprenticeship program is consisted of: 1st year - residential, 2nd year - residential, 3rd year - residential and commercial, and 4th year - motor controls. There is a lot of re-enforcement on certain subjects that *HBA* feels individuals really need to know.

Mr. Enzweiler inquired what his next step is. Legal Counsel Dempsey stated that *HBA* needs to wait until the standards are set by the Committee. Legal Counsel Dempsey stated that Mr. Enzweiler does not need to re-appear. Legal Counsel Dempsey stated he believes that the Committee will set the standards within the next month or so. Legal Counsel Dempsey stated that once the standards are set applications will be reviewed for approval. Mr. Enzweiler stated that the standards will affect *HBA*'s fall schedule. Legal Counsel Dempsey asked the Committee to think about the following for the next Committee meeting: Instructor standards, curriculum, number of hours required each year, and if an individual takes all the required hour in one year is the hours acceptable.

Mr. Perkins stated that he got chewed out by a man who sent their son to school and is required to get license because his schooling was not approved as experience. Legal Counsel Dempsey stated that the law says 2 years of experience or 2 years of education. Legal Counsel Dempsey stated that the Committee must establish the standards first.

Mr. Strange made a motion to take a break at 10:23 am. Mr. Pace seconded the motion. All in favor. Motion carried.

Mr. Howard made a motion to reconvene the meeting at 10:40 am. Mr. Shelton seconded the motion. All in favor. Motion carried.

Electrical Inspector Review – Gregory K. Myers (2458-R)

Chairman Archer inquired if Mr. Myers was in attendance of the meeting. Ms. McMichael answered no. Ms. McMichael stated that there is a file in the middle of the Committee Members table with all the documentation of Mr. Myers' Electrical Inspector's certification. Mr. Myers is currently a residential Electrical Inspector and was requesting his application to be reviewed for approval for a commercial Electrical Inspector's certification.

Mr. Perkins stated that he was unaware of Mr. Myers' application for commercial certification until this morning. Mr. Perkins stated that Mr. Myers has already passed the NCPCCI exam for commercial certification, which there is proof of a passing score included in the application. Ms. McMichael stated that she talked with Mr. Myers yesterday and requested him to send more information to prove his commercial/industrial experience. Mr. Myers informed Ms. McMichael that he would fax the information to her later that day, which never was received.

Mr. Osborne stated that there is 8 years experience in residential. Mr. Pace inquired if the Committee needs more documentation on commercial experience. Mr. Shelton answered yes.

Mr. Osborne made a motion to table Mr. Myers' Electrical Inspector application pending more documentation on commercial/industrial experience. Mr. Howard seconded the motion. All in favor. Motion carried.

Continuing Education Review – Mel Trivette (2374-C)

Mel Trivette stated that he has submitted a packet and hopes it answers all the required questions in accordance with the guidelines. Mr. Trivette stated that he does classes for local electricians in Franklin County. Mr. Trivette stated that he wants approval for the courses that he has done for years. Mr. Perkins stated that he has been around Mr. Trivette for years and can say that Mr. Trivette is thorough, to the point and a very good Instructor.

Mr. Osborne made a motion to approve Mr. Trivette as a Master Electrician and Electrician continuing education provider. Mr. Shouse seconded the motion. All in favor. Motion carried.

Continuing Education Review – Tom Studer (2306-C)

Mr. Studer stated that he represents Northern Kentucky Electrical Association (*NKEA*), which was requesting approval for continuing education due to the electrical licensing. Mr. Studer stated that he is requesting approval of their instructors and approval of the continuing education courses for Master Electricians and Electricians. Courses are split into 2 parts so that classes can be taken in evenings. Initial classes are planning to be expanded in the future into South Eastern Indiana and more locations in Kentucky. Mr. Studer stated that he is approved as a continuing education provider in Ohio and have 3 other Instructors that are applying for Instructor approval in Ohio.

Mr. Perkins stated that Mr. Studer is very sincere. Mr. Perkins stated that Mr. Studer has “locked” himself into teaching only one class – code changes. Mr. Studer stated that he prepares that course and plan on teaching future classes, which will be brought before the Committee for review.

Mr. Osborne inquired how much is his courses. Mr. Studer stated that a 3 hour course is \$75.00. Mr. Perkins inquired if meals are provided at the meetings. Mr. Studer answered no. Ms. Malone stated that Mr. Studer is listed as the Instructor for 4 other courses as well as the code change course. Mr. Studer stated that section 3 has the résumés of the instructors, section 4 is their general guidelines for *NKEA*, and the last page is an evaluation which is completed at each meeting. *NKEA*'s intent is to have start in the fall and to offer at least 1 course a month. Mr. Perkins stated that there are no locations listed for any of the courses. Mr. Studer stated that he will send the location to the Department and hope to have their schedule posted their website, which will be created.

Mr. Osborne suggested having a sign in and signing out sheet. Mr. Studer stated that Instructor has an assistant to sign in and out on the same page. An individual is required to submit a picture ID if the Instructor or assistant does not know the individual. Mr. Osborne suggested that

the cost of course be dropped. Mr. Osborne stated that if a 3 hour course is \$75 and Electrician or Master Electrician would be required to pay \$150 for the required 6 hours of continuing education. Mr. Studer stated that Greater Cincinnati has to pay \$250 members cost and \$30 for continuing education and ABC courses are \$125. Mr. Studer stated that he feels the courses are very good with code books being available for all the courses. Mr. Strange stated that if their courses are too high, people will not attend their courses therefore they will reduce their fees.

Mr. Osborne made a motion to approve the information as submitted as an Electrician, Master Electrician and Contractor continuing education provider. Mr. Shelton seconded the motion. All in favor. Chairman Archer inquired if Northern Kentucky Electrical Association (NKEA) is the provider. Mr. Studer answered yes.

Continuing Education Review – ECHL

Chairman Archer stated that ECHL will be holding a 1 day course for Master Electrician and Electrician and is requesting approval for these courses. Mr. Osborne made a motion to approve ECHL's request as submitted for Master Electrician and Electrician continuing education. Mr. Pace seconded the motion. All in favor. Motion carried.

Low Voltage Exemption

Mr. Vernon inquired if the "clean-up" bill has been introduced to legislatures. Legal Counsel Dempsey answered yes; the "clean-up" bill is SB148 and HB461. Mr. Pace stated that at the last Committee meeting introduced a low voltage exemption, which took care of all trades. Mr. Pace stated that the Committee thought the low voltage exemption would be passed. However, HVAC is against the wording.

Mr. Osborne stated that he would entertain a motion to back all previous motions and oppose any objection. Legal Counsel Dempsey stated that the Committee could not do that. Mr. Pace stated that he believes the Committee "has bended over backwards as much as possible". Mr. Pace stated that the Committee has re-drafted the low voltage exemption twice and have added low voltage certification and HVAC is against that. Legal Counsel Dempsey stated that he believes that is untrue for what he has been informed.

Mr. Osborne stated that he received a phone call last night and was asked to not require a low voltage certification if an individual holds a HVAC or plumbing license. Mr. Osborne stated that HVAC is not going to back the low voltage certification. Mr. Osborne stated that there have been a lot of HVAC and plumbing people who have applied for an electrical license. Mr. Osborne stated that he would like to make a motion to allow the Board to review all electrical applications for those that are HVAC or plumbing individuals. Mr. Osborne inquired how individuals could the experience in electrical. Mr. Shouse seconded the motion.

Mr. Strange stated that anyone can get a license by applying online. Mr. Strange believes that individuals with mechanical experience and those that submitted letters from Senators or judges by re-reviewed by the Committee. Mr. Osborne stated that Legislatures are very opposed to signing letters recommended applicants for an electrical license. Legal Counsel Dempsey stated that he understood with Mr. Strange was saying. However, the regulation does not give the Committee the right to review applications. The regulation says the Department reviews

applications. However, the regulation can be changed. Legal Counsel Dempsey stated as an attorney having done administrative hearings you must have evidence an individuals documentation is fraudulently submitted. Legal Counsel Dempsey stated that the Committee is talking about 1,000's of documentation. Mr. Osborne stated that the burden of proof is on the applicant not the Department. Legal Counsel Dempsey stated that it proves the experience if an individual comes up with documentation. Legal Counsel Dempsey stated that he is not saying the Department does not need to re-review the applications. Mr. Strange stated that the continuing education requirements will hopefully "weed out" some of the unqualified individuals.

Legal Counsel Dempsey inquired how the Department is to know an applicant is an HVAC person. Mr. Osborne inquired if the Department needs name of individuals first. Legal Counsel Dempsey answered yes. Mr. Perkins stated that the Department has already received a challenge on an applicant. The challenger and electrical applicant are brought in the office to discuss the issue with Legal Counsel Dempsey and Mr. Perkins. Legal Counsel Dempsey requested if the Committee Members had names of individuals whose documentation need to re-review to submit the list to the Department. Mr. Pace stated that the licensing program would "self police" itself. Mr. Strange inquired how the Department completes a background check. Legal Counsel Dempsey stated that the Department looks at the documentation at face value. Mr. Perkins stated that if the Department reviews all letters to ensure they are notarized with expiration date listed. Mr. Strange inquired how many applicants have been rejected. Mr. Perkins stated that 100's have been rejected.

Mr. Vernon stated that it "doesn't protect the public, and if everything comes in rubber stamping you guys have done for this licensing program is wasted." Mr. Osborne stated that in House Bill 277 the Electrical Inspector has enough time to shut down jobs. Mr. Perkins stated that he was unaware of House Bill 277. Mr. Pace stated that the Electrical Inspectors has time to monitor jobs but can not shut down a jobsite. Mr. Pace stated that he was sure that Electrical Inspectors was unaware of House Bill 277 as well as Mr. Perkins.

Mr. Studer stated that Northern Kentucky registered electrical licensing for 41 years. Mr. Studer further stated that he knows of a guy pulled a permit for a duplex. Mr. Studer verified his electrical licensing with Northern Kentucky, which he did not have. However, the guy had a pending electrical license. Mr. Studer stated that he had to do 5 rough in inspections and 4 finals before the job was completed. Legal Counsel Dempsey inquired if Mr. Studer had submitted a letter of complaint on the guy. Mr. Perkins answered yes.

Unidentified Visitor stated that Legal Counsel Dempsey has to have a reason to re-review. *Unidentified Visitor* stated that a reason to re-review is if someone lives in an area that required an electrical license and did not have a local license but now has a pending license. Legal Counsel Dempsey stated that if someone lives in Paducah and didn't have license but they could say they worked in Benton. *Unidentified Visitor* stated that is a legitimate answer but this is an easy start. Legal Counsel Dempsey stated that the Department would like to resolve these issues but the problem is sheer volume to review every application again. Mr. Perkins stated that HVAC had the same problem. Mr. Osborne stated that he hopes people don't burn to death due

to unqualified people doing electrical work. Mr. Pace stated what the Committee is hearing is the Department does not have the staff.

Mr. Osborne stated that wiring one house is not experience. Legal Counsel Dempsey stated that individuals could do whatever they wanted before June 24, 2003. However, this is unavoidable during grandfathering. Mr. Strange stated that reviewing all the applications and approving all of them does not accomplish anything. Mr. Pace stated that there have been a lot of applications rejected and more rejected applications than approved. Legal Counsel Dempsey stated that individuals will lie and submit wrong information, which is a fact of life. Mr. Pace stated that most of the rejected applicants will never resubmit more documentation and then will be required to take a test.

Legal Counsel Dempsey stated that if the Committee gets low voltage worked out the HVAC industry only wants to do what they have done for years. Mr. Vernon inquired if Legal Counsel Dempsey sees a low voltage certification coming back around. Legal Counsel Dempsey stated that there is a low voltage exemption, which is the Committee's interpretation. The HVAC and plumbing industry believes that the policy could be changed when there is a change in the Committee Members. Therefore, the HVAC and plumbing industry has requested that the interpretation be included in the statute. Mr. Pace inquired if it was Committee policy but not a certification program. Legal Counsel Dempsey answered right; the Committee can not start a certification program.

Mr. Osborne stated that the Committee will be busy with Apprenticeship program discussion for the next several meetings and will not look at low voltage certification until April.

Electrical Renewals

Mr. Holthouser inquired if the Department has given any thought to renewals. Legal Counsel Dempsey stated that he believes renewals can be completed online. However, Legal Counsel Dempsey will verify the answer with the IT Section. Mr. Strange inquired how you get a list of the continuing education providers. Mr. Pace stated that the Department is currently working on posting the providers on the Department's website. http://www.state.ky.us/agencies/cpr/dhbc/EL_TrainingProviders.htm

Mr. Holthouser inquired if he could renew only his Master Electrician license not his Electrician license. Legal Counsel Dempsey answered yes. Mr. Perkins stated that he believes that a lot of Master Electricians did not realize that they could not work on their own without a Contractors license. Mr. Pace stated that out of the 15,000 Master Electrician and Electrician licenses, 80% are Master Electricians and maybe 2,000 are Electricians. Mr. Vernon stated that he believes people are applying for Master Electricians license in hopes that they will get a pay increase at their electrical company.

Mr. Studer stated that he sent a series of questions to the Department and inquired when he can expect an answer. Legal Counsel Dempsey stated that he will have the answers ready for the next Committee meeting.

Meeting Adjournment

Chairman Archer inquired if there was a need to have the next Committee meeting on March 2, 2004. Mr. Pace stated that the Committee needs to finish discussing Apprenticeship programs. Therefore, the Committee meeting is needed.

Mr. Pace made a motion to adjourn the meeting. Mr. Osborne seconded the motion. All in favor. Motion carried. Meeting adjourned at 11:32 am.